

REMARKS

The Examiner, in the Office Action mailed April 22, 2004, asserts that restriction of two groups of inventions is required under 35 U.S.C. §121. In particular, the Examiner asserts that claims 2-3, 5 and 11-20 are drawn to an apparatus of an electric motor with liquid coolant, classified in Class 310, subclass 54. And it is alleged that a second group of claims -- Claims 4, 6-10 and 21-25 -- are drawn to the apparatus of a brush assembly, classified in Class 310, subclass 239. It is further alleged that the subcombinations are distinct from each other inasmuch as the second group of claims has separate utility such as to transmit electricity.

The Examiner also asserts that the Applicants are required under 35 U.S.C. §121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner expressly acknowledges that claim 1 is generic and presumably falls into the second group of invention which includes claims 4, 6-10 and 21-25.

Applicants respectfully request election of the second group of claims, that is claims 4, 6-10 and 21-25. Applicants also respectfully request examination of added claims 34-36 which depend from independent claim 21 and are believed to be part of the brush assembly classified in Class 310, subclass 239. In view of the express indication by the Examiner that claim 1 is generic it is believed that this claim should also be considered in the examination of claims 4, 6-10, 21-25 and 34-36.

In the event a fee is required for the filing of this document and the fee is not enclosed or is deemed insufficient, the Assistant Commissioner of Patents and Trademarks is hereby authorized to withdraw the required funds from Deposit Account No. 18-0987. If a withdrawal is required from Deposit Account No. 18-0987, the undersigned attorney respectfully requests that the Assistant Commissioner of Patents and Trademarks cite Attorney Docket Number 4570.80A for billing purposes.

If any further information be required to initiate examination of this application, a call to the undersigned attorney would be welcomed.

Respectfully submitted,



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